

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRECIA LORELLE SIBLEY,	:	Civil Action
	:	
Plaintiff,	:	No. 2:14-cv-00634-JS-AYS
	:	
v.	:	PLAINTIFF'S FIRST SET OF
	:	INTERROGATORIES TO
CHOICE HOTELS INTERNATIONAL, INC., <i>et al.</i> :	:	DEFENDANTS, AND EACH OF
	:	THEM
Defendants.	:	
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PROPOUNDING PARTY: Plaintiff TRECIA LORELLE SIBLEY

RESPONDING PARTY: Defendants, and each of them, individually as follows:

1. CHOICE HOTELS INTERNATIONAL, INC.;
2. RATAN GROUP HOTEL LIMITED LIABILITY COMPANY d/b/a
RODEWAY INN, RODEWAY INN LONG ISLAND, RODEWAY INN
HUNTINGTON STATION, and/or HUNTINGTON COUNTRY INN;
3. MAHESH RATANJI a/k/a MAHESH M. RATANJI a/k/a
MAHESHCHAND M. RATANJI, individually and as owner, officer, director,
shareholder, founder, manager, agent, servant, employee, representative, and/or
independent contractor of RATAN GROUP HOTEL LIMITED LIABILITY
COMPANY d/b/a RODEWAY INN, RODEWAY, RODEWAY INN LONG
ISLAND, RODEWAY INN HUNTINGTON STATION, HUNTINGTON
COUNTRY INN, and/or XYZ CORPORATIONS 1 - 50; and

4. KHOZEM KHARAWALLA, individually and as owner, officer, director, shareholder, founder, manager, agent, servant, employee, representative, and/or independent contractor of RATAN GROUP HOTEL LIMITED LIABILITY COMPANY d/b/a RODEWAY INN, RODEWAY, RODEWAY INN LONG ISLAND, RODEWAY INN HUNTINGTON STATION, HUNTINGTON COUNTRY INN, and/or XYZ CORPORATIONS 1 - 50.

SET NUMBER: 1

Pursuant to the Rule 33 of the Federal Rules of Civil Procedure, Plaintiff A TRECIA LORELLE SIBLEY requests the above-listed Defendants to each answer the following interrogatories fully and separately in writing and under oath within thirty (30) days of service.

INSTRUCTIONS

These are general instructions. For details, see the applicable sections of the Federal Rules of Civil Procedure and the cases construing them.

- (a) Whenever an interrogatory may be answered by referring to a writing, the writing may be attached as an exhibit to the response and referred to in the response. If the writing has more than one page, refer to the page and section where the answer to the interrogatory can be found.
- (b) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish the information in answering only the first interrogatory asking for that information.

- (c) In answering these interrogatories, you are not limited to your own personal knowledge, but you are required to furnish all information available to you or anyone acting on your behalf.

DEFINITIONS

Words in BOLDFACE CAPITALS in these interrogatories are defined as follows:

- (a) INCIDENT includes the circumstances and events surrounding the alleged accident, injury, or other occurrence on or about July 29-30, 2012, or breach of contract giving rise to this action or proceeding.
- (b) YOU OR ANYONE ACTING ON YOUR BEHALF includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- (c) PERSON includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (d) WRITING includes the original or copy of handwriting, typewriting, printing, photostatting, photographing, and every other means of recording upon any tangible thing, any form of communication or representation including letters, words, pictures, sounds, and symbols, or combinations of them.
- (e) HEALTH CARE PROVIDER includes any PERSON referred to in the appropriate section of the Federal Rules of Civil Procedure.

INTERROGATORIES

INTERROGATORY NO. 1:

State the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of each PERSON who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

ANSWER:

INTERROGATORY NO. 2:

State the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of each individual:

- (a) who witnessed the INCIDENT or the events occurring immediately before or after the INCIDENT;
- (b) who heard any statements made about the INCIDENT by any individual at the scene; and
- (c) who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the INCIDENT (except for expert witnesses covered by the Federal Rules of Civil Procedure).

ANSWER:

INTERROGATORY NO. 3:

For each of your employees physically present at the time and place of the INCIDENT, please state:

- (a) his or her name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), Facebook profile address, and relationship to you;
- (b) job title as of the date of INCIDENT;
- (c) whether she or he was on duty at the time of the INCIDENT; and
- (d) the job or function she or he was performing at the time of the INCIDENT.

ANSWER:

INTERROGATORY NO. 4:

Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual concerning the INCIDENT? If so, for each individual state:

- (a) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the individual interviewed;
- (b) the date of the interview; and
- (c) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the PERSON who conducted the interview.

ANSWER:

INTERROGATORY NO. 5:

Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded statement from any individual concerning the INCIDENT? If so, for each statement state:

(a) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the individual from whom the statement was obtained;

(b) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the individual who obtained the statement;

(c) the date the statement was obtained; and

(d) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of each PERSON who has the original statement or a copy.

ANSWER:

INTERROGATORY NO. 6:

Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films, or videotapes depicting any place, object, or individual concerning the INCIDENT or Plaintiff's injuries? If so, state:

- (a) the number of photographs or feet of film or videotape;
- (b) the places, objects, or persons photographed, filmed, or videotaped;
- (c) the date the photographs, films, or videotapes were taken;
- (d) the name, address, and telephone number of the individual taking the photographs, films, or videotapes; and
- (e) the name, address, and telephone number of each PERSON who has the original or a copy.

ANSWER:

INTERROGATORY NO. 7:

Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagram, reproduction, or model of any place or thing (except for items developed by expert witnesses covered by the Federal Rules of Civil Procedure) concerning the INCIDENT? If so, for each item state:

- (a) the type (i.e., diagram, reproduction, or model);
- (b) the subject matter; and
- (c) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of each PERSON who has it.

ANSWER:

INTERROGATORY NO. 8:

Was a report made by any PERSON concerning the INCIDENT? If so state:

- (a) the name, title, identification number, and employer of the PERSON who made the report;
- (b) the date and type of report made; and
- (c) the name, address, and telephone number of the PERSON for whom the report was made.

ANSWER:

INTERROGATORY NO. 9:

Have YOU OR ANYONE ACTING ON YOUR BEHALF inspected the scene of the INCIDENT? If so, for each inspection state:

(a) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the individual making the inspection; and

(b) the date of the inspection.

ANSWER:

INTERROGATORY NO. 10:

Did YOU OR ANYONE ACTING ON YOUR BEHALF cause an investigation to be conducted at any time in connection with the subject matter of this action? If so, please state for each such investigation:

- (a) the date of each investigation;
- (b) where the investigation was made;
- (c) the names of the PERSONS conducting each such investigation;
- (d) the names and capacities of all PERSONS present or contacted at any time during the investigation;
- (e) whether any written notes or memoranda of any kind were made in connection with the investigation;
- (f) whether a report of the investigation was made;
- (g) the date of each such report;
- (h) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the PERSON making each such report;
- (i) whether each such report was oral or in writing;
- (j) the present location of each such written report; and
- (k) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone

number(s), all email address(es), and relationship to you of the PERSON having custody of each written report.

ANSWER:

INTERROGATORY NO. 11:

Please state whether YOU OR ANYONE ACTING ON YOUR BEHALF has reviewed or read any memoranda concerning any investigation of Plaintiff's injury, which was written or compiled by someone not then acting on your behalf. If so, for each such memorandum please state:

(a) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you, capacity, and employer of each PERSON who furnished you with a copy thereof;

(b) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you, capacity, and employer of each PERSON who wrote or compiled it;

(c) the date or dates upon which it was written or compiled;

(d) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of each PERSON for whose benefit it was originally written or compiled; and

(e) whether a copy thereof now rests in your custody and control, or in the custody or control of ANYONE ACTING ON YOUR BEHALF.

ANSWER:

INTERROGATORY NO. 12:

Please state whether YOU OR ANYONE ACTING ON YOUR BEHALF has consulted any experts concerning the facts of this case. If so, for each expert please state:

- (a) name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you, occupation and capacity;
- (b) whether the expert furnished an oral or written report of findings or opinions concerning the matters for which the consultation was obtained;
- (c) whether you intend to call the expert as an expert witness at trial;
- (d) the substance of the findings or opinions respecting this action; and
- (e) the name, date, publisher, and author of any scientific technical, or professional text, treatise, journal, or similar publication upon which such expert relied to form the findings or opinions.

ANSWER:

INTERROGATORY NO. 13:

Do YOU OR ANYONE ACTING ON YOUR BEHALF have any information that Plaintiff made any admission or declaration against interest that in any way would tend to support your version of this case? If so, state:

- (a) the time and place when such admission or declaration was made;
- (b) the substance of the admission or declaration; and
- (c) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of all PERSONS in whose presence such admission or declaration was made.

ANSWER:

INTERROGATORY NO. 14:

If you contend that any other person, business entity, or government entity is or may be responsible in any way for Plaintiff's injuries, please state all facts on which you rely in making this contention, as well as:

- (a) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of all persons who have knowledge of the facts; and
- (b) identify all writings and other tangible things that support your contention and state the name, address, and telephone number of the person who has each writing or thing.

ANSWER:

INTERROGATORY NO. 15:

With regard to any complaint(s) against the Defendants within the past five years regarding bed bugs in the subject hotel where Plaintiff alleges she sustained her bites or injuries, please state:

- (a) the date of the complaint;
- (b) the nature of the situation complained of; and
- (c) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), and all email address(es) of the person so complaining.

ANSWER:

INTERROGATORY NO. 16:

If you were aware, before the filing of the complaint in this action, that the Plaintiff alleged she was bit by bed bugs and was injured in the subject hotel location listed in the complaint on or about July 29-30, 2012, state:

- (a) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the person from whom you received notice;
- (b) date, time, and place you received notice; and
- (c) whether the notice was written or oral, and, if written, the name and address of the person who now has custody of it.

ANSWER:

INTERROGATORY NO. 17:

If you contend that any person or entity other than you owned and/or controlled the premises on which Plaintiff alleges she was injured at the time of Plaintiff's injury, state each and every fact on which you base the contention and identify each and every writing that supports the contention.

ANSWER:

INTERROGATORY NO. 18:

If you contend that any person or entity other than you and your employees and agents was responsible for the cleaning and maintenance of the premises on which Plaintiff alleges she was injured at the time of Plaintiff's injury, state each and every fact on which you base your contention and identify each and every writing that supports the contention.

ANSWER:

INTERROGATORY NO. 19:

Identify, with sufficient particularity to allow Plaintiff to frame a notice to produce, all procedure manuals, letters, memos, instruction manuals and other writings that pertain to or concern in any way the cleaning and room maintenance of the hotel where Plaintiff alleges that she was injured.

ANSWER:

INTERROGATORY NO. 20:

Of what type of brand, year, and model number was the bed or beds in the room where Plaintiff alleges that she was injured?

ANSWER:

INTERROGATORY NO. 21:

If there was any mattress cover or covering on the bed where Plaintiff alleges she was bitten by bed bugs and injured, what was the material, brand name, and year of the cover or covering?

ANSWER:

INTERROGATORY NO. 22:

If any insecticide, chemical, or other substance was applied to the bed in Plaintiff's room at any time before the accident, state:

- (a) the name of the insecticide, chemical, or substance;
- (b) the manner of its application;
- (c) the frequency of its application;
- (d) the date and time it was last applied before the accident and the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the person who applied it; and
- (e) identify all writings (including time logs, sweep sheets, cleaning logs, maintenance records) that support your answer to Interrogatory No. 22.

ANSWER:

INTERROGATORY NO. 23:

On the dates of the alleged incident, with what equipment, chemicals, substances, and how frequently was the room cleaned where the incident allegedly occurred?

ANSWER:

INTERROGATORY NO. 24:

If the room where the alleged incident occurred had been cleaned in the four hours before the incident, state:

- (a) the date and time it was cleaned;
- (b) the name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of each person who performed the cleaning;
- (c) the type of cleaning equipment used;
- (d) the name of each cleaning agent used; and
- (e) the reason it was cleaned.

ANSWER:

INTERROGATORY NO. 25:

Identify, with sufficient particularity to allow Plaintiff to frame a notice to produce, any writing, including sweep sheets, cleaning logs, and maintenance logs, that support your answer to Interrogatory No. 23. If said writings contain abbreviations or initials, define the abbreviations and state the full name, nicknames, work mailing address, work physical address, personal mailing address, personal physical address date of birth, work telephone number(s), cellular telephone number(s), all email address(es), and relationship to you of the person whose name is signified by the initials.

ANSWER:

VERIFICATION

I declare under penalty of perjury that the foregoing responses are true and correct to the best of my knowledge.

For Defendant _____

Date: _____ Signature: _____
Print name: _____
Title: _____

Respectfully submitted,

Dated: New York, New York
July 24, 2015

By: s/ Brian L. Ponder
BRIAN L. PONDER, ESQ. (BP0696)
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Attorney for the Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served upon Defendants' counsel via USPS regular mail to Genova Burns, 494 Broad St., Newark, NJ 07102.

Dated: New York, New York
July 24, 2015

By: s/ Brian L. Ponder
BRIAN L. PONDER, ESQ.(BP0696)